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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by the International Federation of Human Rights Leagues, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council Resolution 1996/31.

[11 January 1999]

GE.99-10575 (EXT)

1. The International Federation of Human Rights Leagues (IFHR) and its member organization, Ligue Tchadienne des droits de l'homme (LTDH), continue to be exceedingly alarmed by the persistence and worsening of a situation of grave, massive and systematic human rights violations in Chad.

Context and background

2. Despite the repeated reprieves granted to the Chadian authorities to enable them to continue the democratic process and call a halt to the numerous human rights violations, it must be admitted that the overall situation of fundamental freedoms in Chad is still quite alarming and that there is every indication that the grave human rights violations are sanctioned by the Government.

3. Ever since the politically-motivated assassination in 1992 of the former vice-president of the LTDH, Joseph Behidi, there has been continual restriction of areas of freedom, made tougher by, inter alia, the arrest of a number of politicians (Mr. Salet Kebzabo, Mr. Kassire Koumakoye and Mr. Yaya Batit). The three-year prison sentence passed on Mr. Yorongar Ngarleju, deputy for the oil-producing Bebedja region and the latest politician to be arrested ? in June 1998 ? for slander, was recently upheld by the Court of Appeal in N'Djaména on 24 December 1998.

4. The peace agreement signed in April 1997, on the initiative of the human rights defence organizations, by the Government and the Armed Forces of the Federal Republic (FARF) was of short duration. On 30 October 1997 when, under the peace agreement, the FARF members were expecting to be incorporated into the Chadian National Army, the latter attacked FARF headquarters in Moundou. The attack lasted one hour, but sporadic incidents continued until 8 November 1997. The investigation mission conducted by a group of Chadian human rights defence associations revealed that a total of 98 persons were killed and 15 wounded during these incidents.

5. During the first half of 1998, 301 persons were massacred in the two Logones under cover of confrontations between the security forces and the FARF. The security forces were responsible for 285 casualties. During a further peace negotiation concluded on 6 May 1998, the FARF rebel leader, Laokein Barde, disappeared in the most obscure circumstances. Private press sources, which corroborate one another and have not been refuted by the Government, claim that the federalist rebel leader was assassinated by a commando set up by the Republic's highest authorities.

6. The essential features of the general situation in Chad are chronic impunity, growing insecurity and an entrenched policy of exclusion of one category of citizens from management of public affairs, thereby exacerbating inter-ethnic tensions throughout the national territory.

7. The long-awaited genuine national reconciliation is at a virtual standstill. Rather than endeavour to reach a global settlement of the Chadian crisis, the Government prefers to play it one by one and negotiate separate peace agreements with the armed opposition. The overall result of this mind-set is that a new rebellion surfaces with each new peace agreement. There is blatant discrimination in access to vocational schools or establishments of higher

learning, such as the faculty of medicine, where the merit criterion counts for nothing.

8. Journalists and human rights defenders are the particular targets of the power circles and the so-called security forces which intimidate them with threats of every kind.

Attacks on civil liberties and political freedom

9. Freedom of assembly and freedom of association continue to be flouted in Chad with the banning and systematic repression, backed up with Kalachnikovs, of all peaceful public demonstrations or protests. A number of human rights defence associations were suspended by the Minister of the Interior in late March 1998 as they were preparing to organize ?city shutdown? days in N'Djaména in protest against the massacres in the south of the country. Their leaders were hunted down, harassed and threatened with death. Such was the case of Dobian Assinbar, current president of the LTDH, who escaped an attempt on his life in Moundou in October 1997; his home was attacked by soldiers on 22 March 1998 and both he and his wife were injured. Dobian was transferred on 27 March 1998 on the orders of the State authorities. Human rights defence NGOs are perceived by the authorities as mere "foils" to Chadian democracy.

10. Journalists such as Sosthène Ngargoune and Dieudonné Djonabaye were manhandled and beaten up in 1997 and 1998 respectively in the course of their work. The director of the newspaper "L'Observateur", Sy Noumbo Binga Gali, and another journalist, Togomossi Polycarpe, were arrested and convicted of slander along with deputy Yorongar Ngarlejy on 24 December 1998. Mr. Nehemie Benoudjita and Mr. Begoto Yalde Oulatar, respectively directors of the newspapers "Le Temps" and "Ndjaména Hebdo", regularly receive anonymous telephone threats. Human rights defenders are increasingly victims of all sorts of pressures, as are journalists on private newspapers, which considerably curtail their freedom: official harassment, professional marginalization of human rights defenders, repeated judicial proceedings, grave threats to, and assaults on, their physical and mental integrity, telephone tapping and tax pressures on the private press.

11. The right to equal justice does not exist in Chad. The judicial apparatus is a veritable instrument of repression in the service of the Executive Branch. Any opinion contrary to that held by the powers-that-be is forcefully repressed. For instance, deputy Yorongar Ngarlejy was charged with slander, in contravention of any legal procedure, tried and sentenced to three years' imprisonment, while the law stipulates a maximum sentence of two years in such cases. Accordingly, those to be tried are wary of decisions handed down by Chadian justice. Lastly, and most importantly, to speak of the independence of justice is a total sham when the Executive Branch does not hesitate to take certain cases away from the courts. Anyone close to the authorities who seriously breaks the law is simply transferred or promoted to a higher post.

Violations of the right to life and physical integrity

12. The Chadian population lives in a climate of fear and anguish caused by the brutality of the forces of law and order and the rebels. Unlawful arrests and summary and extrajudicial executions are frequent. The years 1997 and 1998 are alleged to have been particularly marked by massacres in the two Logones (in

the south of the country in the oil-producing region) committed with total impunity. The phenomenon of "road blocks" is growing worse with a daily cost in human lives.

13. While the Chadian authorities officially declare that executions of thieves are a thing of the past, Adoum Achidere, a married man born some time in the 1970s, and Nafe Chamo, born in 1966 and married with three children, both residents of the Hayal Matar district, were the victims of extrajudicial executions in November 1998 in Abéché, in violation of the laws of the Republic. Mr. Allahissem Adoumngar, aged 30, was summarily shot dead by gendarmes at his home on 10 November 1998. No proceedings have been instituted against the perpetrator and his accomplices. On 30 October 1997, Dr. Danyo Merci was bound hand and foot by soldiers in Moundou, placed in a plastic bag and thrown into the river in full spate. By some miracle, he was able to escape and embark on the road to exile. This list of cases is by no means exhaustive.

14. Chad's economic situation is also alarming. Its annual per capita income is one of the world's lowest. Health indicators are abysmal: problems of malnutrition, lack of access to clean drinking water and a dearth of health infrastructure pose serious problems. Conditions of access to education remain highly discriminatory. The economic situation is marked by the extreme poverty of the inhabitants whom the Government beguiles on a daily basis with the promise that only exploitation of the country's petroleum resources can save them from their present poverty, while endeavouring to conceal the disastrous manner in which the Chadian State has managed its finances for years.

Conclusion

15. The two years in which fundamental rights and freedoms reached a level of degradation unparalleled in Chad's journey to democracy were 1997 and 1998. With mass forced exile of political leaders and the intellectual elite, imprisonments, arbitrary suspension of human rights defence associations and the hounding and harassment of journalists, unwarranted recourse to the judicial apparatus by the Executive Branch for settling political scores, etc., human rights violations in Chad are grave, flagrant and systematic and can, on more than one count, be laid at the door of the Chadian authorities, who have taken no specific or effective steps to bring them to an end. The IFHR and its affiliate, the LTDH, consider it essential for the international community to react with a view to putting a stop to these flagrant and massive violations of human rights. They call upon the Commission to appoint a Special Rapporteur on the situation of human rights in Chad with instructions to report to the Commission at its fifty-sixth session.